

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Nico Redding,

Case No. 21-cv-1930 (KMM/LIB)

Plaintiff,

v.

ORDER

Paul Schnell, et al.,

Defendants.

On July 18, 2022, the Court required Nico Redding to submit a certified copy of his prison trust account statement for the six-month period immediately prior to filing his July 5, 2022 notice of interlocutory appeal to the Eighth Circuit Court of Appeals. [ECF No. 110]. Mr. Redding has complied with that requirement, and the Court must now calculate and collect plaintiff's appellate filing fees in accordance with *Henderson v. Norris*, 129 F.3d 481 (8th Cir. 1997).

Pursuant to 28 U.S.C. § 1915(b)(1), Mr. Redding is required to pay an initial partial filing fee of "20 percent of the greater of (A) the average monthly deposits to the prisoner's account; or (B) the average monthly balance in the prisoner's account for the 6-month period immediately preceding the filing of the complaint or notice of appeal." Mr. Redding's certified trust account statement provides that during the relevant period he had average monthly deposits of \$145.00 and an average monthly balance of \$26.71. Therefore, Mr. Redding's initial partial filing fee in connection with the notice of appeal

he filed on July 5, 2022 is \$29.00. The remainder of the filing fee shall be paid in monthly installments as set forth in § 1915(b)(2).

Accordingly, **IT IS HEREBY ORDERED** that:

1. Mr. Redding is required to pay an initial partial appellate filing fee of \$29.00.
2. The application to proceed *in forma pauperis* on appeal received by the Clerk of Court on August 1, 2022 [ECF No. 113] is **DEEMED MOOT** as Mr. Redding's IFP application was previously granted [ECF No. 103].

Date: August 2, 2022

s/Katherine Menendez

Katherine Menendez
United States District Judge